

SUPPORT FOR THE AMENDMENT

Support for the amendment to claim 9 is found in claim 4 as originally presented. Support for claims 13 is found on page 3, lines 9-10 of the specification. Support for claims 14 is found on page 3, lines 20-24 of the specification. Support for claims 15 is found on page 4, lines 1-2 of the specification. Support for claims 16 is found on page 4, lines 26-27 of the specification. Support for claims 17 is found on page 4, lines 36-37 of the specification. Support for claims 18 is found on page 5, lines 1-2 of the specification. No new matter would be added to this application by entry of this amendment.

Upon entry of this amendment, claims 7-18 will now be active in this application.

REQUEST FOR RECONSIDERATION

The claimed invention is directed a process for preparing a mixture of polyols comprising at least one graft polyol.

Graft polyols have been used in the preparation of polyurethane foams. Mixtures of graft polyols with unfilled polyols have been formed in order to adapt the polyol to the desired requirements, but have been found to produce polyurethanes of inadequate quality. Process for mixtures of polyols comprising a graft polyol which provides for good quality polyurethane foams are sought.

The claimed invention addresses this problem by providing a process for preparing mixtures of polyols in which at least one graft polyol and a second polyol are mixed by a continuous mixing process, after polyol preparation but before polyurethane preparation. Applicants have discovered that mixing of prepared polyols **by a continuous mixing process** prior to polyurethane preparation to provide for polyurethane foams of good quality. Such a process, polyol mixture, polyurethane forming process or polyurethane are nowhere disclosed or suggested in the cited art of record.

The rejection of claims 7-12 under 35 U.S.C. §102(b) over Ramlow et al U.S. 4,690,956 is respectfully traversed.

Ramlow et al. fail to disclose or suggest a process for preparing mixture of polyols in which at least one graft polyol is mixed with a second polyol by means of a continuous mixing process.

Ramlow et al. describes the preparation of a graft polymer dispersion by **reacting** by free radical polymerization, unsaturated monomers in the presence of a reaction moderator consisting of a polyether-polyol and a macromer and or in a polyetherester polyol-polyoxyalkylene polyether polyol mixture containing less than 0.1 mole of induced unsaturation per mole of polyol mixture (column 2, lines 35-51). The product of the recitation

is a polyol dispersion, not a mixture of polyols comprising at least one graft polyol. Even though the reaction may be conducted in a static mixture (Procedure B), there is no suggestion of preparing **a mixture of polyols** by mixing at least one graft polyol and a second polyol by means of a continuous mixing process.

In contrast, the claimed invention is directed to a process for preparing a mixture of polyols comprising mixing at least one graft polyol and a second polyol by means of a continuous mixing process. Thus, according to the claimed process at least one graft polyol and a second polyol are mixed by means of a continuous mixing process, the product being a mixture of polyols.

Not only does the cited reference fail to suggest preparation of a polyol mixture as claimed, but applicants have demonstrated that means of a continuous mixing process to provide for a polyol mixture with properties which are different from simply mixing two polyols.

The examiner's attention is directed to the data appearing on page 9, Table 1 of applicants' specification. Table 1 compares the properties of a polyurethane foam depending on the graft polyol being continuously mixed by a static mixer or merely being blended in a mixing head. The data in Table 1 demonstrates that the claimed process produces a foam with better processing properties, indicative of a difference in the nature of the polyol mixture comprising at least one graft polyol. In view of these observed differences in performance resulting from mixing polyols as claimed and given the failure of the cited reference to suggest a mixing of finished polyols as claimed, the claimed invention is neither anticipated nor rendered obvious by this reference and withdrawal of the rejection under 353 U.S.C. 102(b) is respectfully requested.

As the cited reference fails to suggest preparation of a mixture of polyols by mixing at least one graft copolymer and a second polyol by means of a continuous mixing process, the

claimed invention is neither anticipated nor rendered obvious by the cited reference and accordingly, withdrawal of the rejection under 35 U.S.C. 102(b) is respectfully requested.

The provisional rejection of claim 9 as redundant to claim 8 has been obviated by appropriate amendment to recite a polyester polyol.

The rejection of claims 7-12 under 35 U.S. C. 112, second paragraph is respectfully traversed.

Applicants respectfully submit that the metes and bounds of the claimed invention are clear to those of ordinary skill in the art.

The examiner has objected to the term “continuous” as non-limiting in view of the exemplification of a static mixer in example 1. Applicants note that a static mixer is usually a tubular apparatus with fixed internals serving to mix the individual streams of materials across the tube cross section and that static mixers may be used in a continuous process for carrying out various fundamental processing operations (page 4, lines 26-30 of applicants’ specification). The flow of streams past the fixed internals provides a mixing effect which would be readily apparent in a continuous mixing process. Thus, the use of a static mixer in a continuous process would be well understood by those of ordinary skill in the art such that the metes and bounds of the claimed invention would be clear.

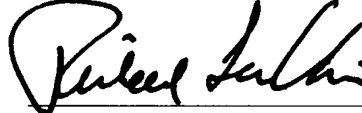
As to the term “mixture of polyols” claim 7 has been amended to recite the mixing of at least one graft polyol and a second polyol providing for the preparation of a mixture of polyols. In view of applicants’ amendment, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

A handwritten signature in black ink, appearing to read "Richard L. Chinn", is written over a horizontal line.

Richard L. Chinn, Ph.D.
Attorney of Record
Registration No. 34,305

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)